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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

MARIA DEL PILAR SOTO ALBINO

Debtor(s)

CASE NO: 19-05890-EAG

CHAPTER: 13

OPPOSITION TO MOTION TO VALUE

TO THE HONORABLE COURT:

COMES now creditor, **Toyota Credit de Puerto Rico**, hereinafter referred to as "TOYOTA", by the undersigned attorney, and very respectfully alleges and prays:

1. MARIA DEL PILAR SOTO ALBINO hereinafter will be referred to as "the Debtor".
2. On October 25, 2019, TOYOTA filed proof of claim number 2, for the secured amount of \$12,664.61.
3. TOYOTA is a secured creditor in the instant case by virtue of a conditional sales agreement (the "Agreement"), by which Debtor obtained a brand new 2016 TOYOTA YARIS VIN No. 3MDLBV5GY107986 (the "Vehicle"). The Agreement is duly registered with the Department of Transportation of Puerto Rico. [Refer to Claim No. 2].
4. The Debtor has incurred in pre-petition arrears with TOYOTA in the amount of \$766.37. Also, under the terms of the Agreement the Debtor is required to continue to make monthly payments to TOYOTA. [Refer to Claim No. 2].
5. In addition to the aforementioned, the Debtor had added an extended service warranty and/or insurance options to the Agreement which were financed through TOYOTA.

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These contract options are accessory; therefore, if Debtor intends to keep these items financed through TOYOTA, Debtor will be required to pay the remaining contract options amount of **\$2,543.99** itemized hereto as **Exhibit 1**. Debtor may otherwise cancel these contract options. This would require the signing of a cancellation form which can be provided upon request. [Refer to **Exhibit 1**]

6. On 10/10/2019 Debtor filed a Motion to Value the Vehicle. [Docket Number 4]
7. On 11/3/2019 TOYOTA filed an Objection to Debtor's Chapter 13 Plan dated 10/10/2019 (the "Objection"). [Docket Number 11]
8. TOYOTA hereby opposes the Motion to Value for the reasons stated in the Objection.

WHEREFORE, for the reasons herein stated TOYOTA opposes the motion to value and respectfully requests the motion be denied with such further relief that is proper.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 3rd day of November, 2019.

NOTICE TO ALL PARTIES IN INTEREST

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise. If no response is filed within the prescribed period of time the Court may enter an order granting the relief herein requested.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all CM/ECF participants including the following: **the Trustee Jose Ramon Carrion Morales, Esq.** and **to the Debtor's attorney, Roberto L. Mateo Rivera, Esq.** I hereby certify that I have caused to be served by United

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States Postal Service a copy of this motion to the following non-CM/ECF participants: **to the Debtor @ URB MARIANI CALLE WILSON 2032 PONCE, PR 00717.**

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